

REMARKS

Favorable reconsideration and withdrawal of the rejection set forth in the final Office Action dated September 12, 2008, are respectfully requested in view of the foregoing amendments and the following remarks.

Status of the Claims

Claims 1-6 are pending in the application, with Claims 1 and 4 being independent. Claims 1 and 4 have been amended. Support for the claim changes can be found in the original disclosure, for example, at page 46, lines 3-11 of the specification, and therefore no new matter has been added.

Rejections

Claims 1, 2, 4 and 5 were rejected under 35 U.S.C. § 103 over U.S. Patent No. 5,812,191 (Orava et al.) in view of U.S. Patent No. 7,098,950 (Yamamoto et al.). In addition, Claims 3 and 6 were rejected under 35 U.S.C. § 103 over the patent to Orava et al. in view of the patent to Yamamoto et al. and U.S. Patent No. 6,163,024 (Kozuka et al.).

In response, while not conceding the propriety of the rejections, independent Claims 1 and 4 have been amended. Applicant submits that as amended, these claims are allowable for the following reasons.

Independent Claim 1 relates to an image pickup apparatus in which a pixel area, including a plurality of pixels each having a photoelectric conversion portion and a common output portion configured to sequentially amplify and output signals from the plurality of pixels included in the pixel area, is formed on a single semiconductor substrate.

The apparatus comprises a power supply unit configured to effect power supply control of the common output portion independently of control of the power supply to the pixel area.

The apparatus also comprises a control circuit configured to effect control to supply no power to the common output portion in a predetermined period after starting photo-charge accumulation in the photoelectric conversion portion and to supply power to the common output portion before the end of a photo-charge accumulation period in the photoelectric conversion portion.

Claim 1 has been amended to recite that the control circuit is arranged to continue to supply the power to the common output portion throughout the photo-charge accumulation period if the photo-charge accumulation time of the photoelectric conversion portion is shorter than a predetermined accumulation time.

In contrast, the citations to Orava et al. and Yamamoto et al. are not understood to disclose or suggest a control circuit that is arranged to continue to supply power to the common output portion of a plurality of pixels of a pixel area, for which power supply control is effected independently of control of the power supply to the pixel area, throughout a photo-charge accumulation period of a photoelectric conversion portion of the pixels if the photo-charge accumulation time of the photoelectric conversion portion is shorter than a predetermined accumulation time, as recited by amended Claim 1.

Since the cited art is not understood to disclose or suggest all the features of amended Claim 1, Applicant submits that the Office has not yet satisfied its burden of proof to establish a *prima facie* case of obviousness against amended Claim 1. For this reason, Applicant respectfully requests that the rejection of Claim 1 be withdrawn. And since Claim 4 has been amended in a similar manner, it is submitted to be allowable for

similar reasons. Therefore, Applicant respectfully requests that the rejection of Claim 4 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration, withdrawal of the outstanding rejection, and passage to issue of the present application.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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